

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

IN RE:)	IN PROCEEDINGS UNDER CHAPTER 7
)	
TIFFANY M. RODRIGUEZ,)	No. 04-30506
)	
Debtors.)	
)	Adv. No.
TIFFANY M. RODRIGUEZ,)	
)	
Plaintiff,)	
)	
v.)	
)	
CHECK INTO CASH,)	
)	
Defendant.)	

**COMPLAINT TO COMPELL TURN OVER OF
POST-PETITION RECEIPTS AND ENFORCE THE AUTOMATIC STAY**

COMES NOW, the Debtor, TIFFANY M. RODRIGUEZ, by their attorney, Karl J. Wulff, and for their Complaint states to the Court as follows:

1. That this Court has jurisdiction over this matter pursuant to 28 U.S.C. §1334 and 157. This matter is a core proceeding.

2. That Debtors filed for relief under Chapter 7 of the Bankruptcy Code on February 10, 2004.

3. That Creditor, CHECK INTO CASH, is listed on Schedule F filed herein as a creditor.

4. That Creditor, CHECK INTO CASH, has since the filing of the Petition herein and with record and/or actual notice of the pending bankruptcy case, prosecuted a garnishment/levy against the Debtor's bank account, taking approximately \$252.00 on or about February 17, 2004.

5. That the aforesaid action by CHECK INTO CASH constitutes

an act of levy and/or an attempt to collect a pre-petition debt and is thus a willful violation of the automatic stay.

6. That Debtor has been damaged as a direct result of the actions taken by CHECK INTO CASH in violation of the automatic stay.

WHEREFORE, Debtors prays that this Court enter an Order requiring Creditor, CHECK INTO CASH, to account for and turn over to the Debtor any and all funds it has obtained subsequent to the Order for Relief and requiring Creditor to appear and show cause, if any they have, why it should not be sanctioned for violating the Order for Relief entered herein, and for all other and further relief as the Court deems appropriate in the premises.

/s/ KARL J. WULFF

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